

Express Mail Number ET437641873US

Attorney Docket No.:

2872-USD

O 031431 U.S.PTO  
10/774192  
020604DIVISION - CONTINUATION - CONTINUATION-IN-PART  
APPLICATION TRANSMITTAL FORM

	Anticipated Classification Of This Application: Class	Subclass	Prior Application: Examiner	Art Unit
			J. Seharaseyon	1647

To the Commissioner for Patents:

This is a request for filing a  continuation  divisional  continuation-in-part application, under 37 CFR 1.53(b), of pending prior application Serial No. 10/212,356 filed on August 2, 2002, of John E. Sims and Teresa L. Born for ACPL POLYPEPTIDES

**For CONTINUATION or DIVISIONAL APPLNS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 1b, below, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

1.  Transmitted herewith are:
    - 60 pages of specification, 2 pages of claim(s) and 1 page of abstract, totaling 63 pages.
    - sheet(s) of drawings.
    - 2 pages of Oath or Declaration by the applicant(s):
      - Newly executed (original or copy)
      - Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional applns. only)
    - 14 pages of Sequence Listing; sequence statement.
  2.  The filing fee is calculated below based on the enclosed Preliminary Amendment:
- | For                       | Number Filed | Number Extra | Rate             | Fee       |
|---------------------------|--------------|--------------|------------------|-----------|
| Total Claims              | 3            | - 20 =       | x \$18.00        | \$ 0.00   |
| Independent Claims        | 3            | - 3 =        | x \$86.00        | 0.00      |
| Multiple Dependent Claims | 0            |              | + \$290.00       | 0.00      |
| Basic Fee                 |              |              | \$770.00         | 770.00    |
|                           |              |              | Total Filing Fee | \$ 770.00 |
3.  Please charge Deposit Account No. 09-0089, in the name of Immunex Corporation, in the amount of \$ 770.00. An original and one copy are enclosed.
  4.  Throughout the prosecution of this application, if any extension of time is necessary, please consider this a request therefor.
  5.  The Commissioner is hereby authorized to charge any additional filing fees which may be required by the accompanying application, any additional fees which may be required during pendency of this application as required by 37 CFR 1.16 or 1.17, or credit any overpayment to Deposit Account No. 09-0089 throughout the prosecution of this application.
  6.  Cancel in this application original claims 1-17 of the prior application and enter the enclosed Preliminary Amendment before calculating the filing fee. (At least one original in filing purposes.)

## EXPRESS MAIL CERTIFICATE

\*Express Mail\* mail labeling number: ET437641873US

Date of Deposit: 2/10/04

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Brooks Stanfield

Printed Name

Signature

7.  Preliminarily, please amend the specification by inserting before the first line the following:

--This application is a  continuation  division of application Serial No. \_\_\_\_\_, filed \_\_\_\_\_, which is/are hereby incorporated by reference.--

8.  Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by § 1.138 and before payment of base issue fee.)

8a.  New formal drawings are enclosed.

9.  Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_  
is claimed under 35 USC 119. \_\_\_\_\_ (country)

9a.  The certified copy has been filed in prior application Serial No. \_\_\_\_\_ filed \_\_\_\_\_

10.  The prior application is assigned of record to Immunex Corporation, reel 010993, frame 0321

11.  A preliminary amendment is enclosed.

12.  Also enclosed \_\_\_\_\_

13.  Other: \_\_\_\_\_  
\_\_\_\_\_

14.  The power of attorney in the prior application is to:  
Immunex Corporation  
\_\_\_\_\_  
\_\_\_\_\_

a.  The power appears in the original papers in the prior application.

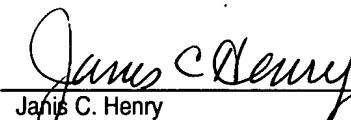
b.  Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c.  Address all future communications to  
Janis C. Henry

at the address below.

Signator:  Assignee of complete interest

Attorney or agent of record

  
Janis C. Henry  
 Attorney/Agent for Applicants  
 Registration No. 34,347  
 Phone: (206) 265-4189  
 Date: February 6, 2004

Please send all future correspondence to:

Immunex Corporation  
 Law Department  
 51 University Street  
 Seattle, WA 98101  
 (206) 587-0430

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